IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

Bail Appl..No. 6678 of 2007()

CRIME NO.529 OF 2007 OF MEDICAL COLLEGE POLICE STATION, TRIVANDRUM

: PETITIONER/1ST ACCUSED:

USHENDRAMANI, AGED 40 YEARS,
D/O. SAVITHRI, RESIDING AT USHUS, C.R.P. NAGAR,
PANGAPPARA VILLAGE, PANGAPPARA P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.SANTHARAM
SRI.ANTO THOMAS

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.RAVEENDRA BABU

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6678 of 2007

Dated this the 13th day of November, 2007

ORDER

Application for anticipatory bail. The petitioner is the 1st accused. Her son is the 2nd accused. The 1st accused and her husband have some differences of opinion. The crux of the dispute is about the possession of a motor car. The 2nd accused, ie. the son of the petitioner had come to this Court with a prayer for anticipatory bail and by order dated 8.10.07 in B.A.6059 of 2007, the 2nd accused was granted anticipatory bail. I have adverted to facts in detail in the said order. This order must be read in continuation of that order. I am hence not adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can also be granted anticipatory bail subject to identical conditions as were imposed on the co-accused.

3. In the result, the Bail Application is, allowed. The following directions are issued under Section 438 Cr.P.C.

i) The petitioner shall appear before the learned Magistrate at 11 a.m on 20.11.2007. He shall be enlarged on regular bail on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only)

with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 5 p.m on . 21.11.2007 and 22.11.2007 and thereafter between 10 a.m and 12 noon on all Mondays and Fridays for a period of one month. Subsequently the petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so;

iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law as if those directions were not issued at all;

iv) If the petitioner were arrested prior to his surrender on 20.11.07 as directed in clause (1) above, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) without any sureties undertaking to appear before the learned Magistrate on 20.11.07.

(R.BASANT, JUDGE)

rtr/-